

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servant – Irrigation & CAD Department – Allegation of corruption against Sri M.V.S.S.Lingam, Executive Engineer, Irrigation Department, Vamsadhara Project, Amadalavalasa, Srikakulam District – Prosecution Sanction Order – Issued.

IRRIGATION & C.A.D. (IW:SERVICES-VI(1) DEPARTMENT

G.O.Ms.No. 44

Dated 06-05-2010.

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ORDER:

Whereas Sri M.V.S.S.Lingam, S/o.Late Venkateswara Rao worked as Executive Engineer, Irrigation Department, Vamsadhara Project, Amadalavalasa, Srikakulam District from 24-05-2009 to 24-09-2009. By virtue of the post held by him, he falls within the category of public servant as defined under section 2 (C) of the Prevention of Corruption Act, 1988 (Act 49 of 1988)

2. And whereas, Sri Sunkara Ramesh, S/o.Late (Sri) Kondayya 33 years, resident of Main Bazar, Amadalavala of Srikakulam District purchased a TATA INDICA Car bearing Registration No.AP 9 AD 3399 in the month of June, 2009 and let out it on hire basis to the office of the Executive Engineer, Irrigation, Vamsadhara Project, Amadalavalasa for Rs.17,000/- per month. During the month of September, 2009 he has withdrawn his vehicle from the said office. He received an amount of Rs.33,236/- towards hire charges of the vehicle for the months of June and July, 2009 and the vehicle hire charges for the month of August, 2009 were not received by him from the said office. In this connection, he approached Sri M.V.S.S.Lingam, Executive Engineer many times and 10 days prior to the lodging of complaint with the Anti-Corruption Bureau, he requested for payment of vehicles hire charges for the month of August, 2009. But Sri M.V.S.S.Lingam, Executive Engineer did not heed to his request. Again on 19-09-2009 at about 11.00 A.M., when he approached Sri M.V.S.S.Lingam, Executive Engineer at his office with the said request, the Sri M.V.S.S.Lingam, Executive Engineer demanded an amount of Rs.15,000/- as bribe i.e., Rs.5,000/- for each bill (including the two months hire vehicle charges bills of June and July, 2009 passed earlier). When he expressed his inability to pay such huge amount as bribe, Sri M.V.S.S.Lingam, Executive Engineer reduced the said bribe to Rs.12,000/- i.e., Rs.4,000/- each bill and instructed him that unless the said demanded bribe was paid, his hire vehicle charges bill for the month of August, 2009 would not be passed. Further Sri M.V.S.S.Lingam, Executive Engineer instructed him to pay an amount of Rs.5,000/- as part payment of bribe before passing the bill and pay the remaining bribe amount of Rs.7,000/- after passing the bill.

3. And whereas, Sri Sunkara Ramesh, who was reluctant to pay the bribe to Sri M.V.S.S.Lingam, Executive Engineer, Irrigation Department, Vamsadhara Project, Amadalavalasa, Srikakulam District, on 22-09-2009 at 10.00 A.M., approached the Office of Deputy Superintendent of Police, Anti-Corruption Bureau, Vizianagaram and lodged a written complaint for taking necessary action against Sri M.V.S.S.Lingam, Executive Engineer, Irrigation Department, Vamsadhara Project, Amadalavalasa, Srikakulam District. The Deputy Superintendent of Police, Anti-Corruption Bureau, Vizianagaram Range after observing the due procedure, registered the same as a case in Crime No.15/RC-ACB/VZM/2009 under section 7 of the Prevention of Corruption Act, 1988 of Anti-Corruption Bureau, Vizianagaram Range against Sri M.V.S.S.Lingam, Executive Engineer, Irrigation Department, Vamsadhara Project, Amadalavalasa, Srikakulam District at 10.00 A.M., on 24-09-2009 and took up investigation.

(P.T.O.)

4. And whereas, it is further alleged that during the course of trap on 24-09-2009 at 03.20 P.M., Sri Sunkara Ramesh, approached Sri M.V.S.S.Lingam, Executive Engineer at Vamsadhara Guest House, Amadalavalasa, Sri M.V.S.S.Lingam, Executive Engineer, when saw Sri S.Ramesh, reiterated his earlier demand of bribe of Rs.5,000/- for doing the official favour of passing the bill of hire vehicle charges for the month of August, 2009 and accepted tainted amount of Rs.5,000/- at about 03.20 P.M., with his right hand, counted the same with both his hands and kept the same on the Tea-pai.

5. And whereas, both the hand fingers of Sri M.V.S.S.Lingam, Executive Engineer and surface of the Tea-pai, on which the tainted amount was kept yielded positive results when subjected to chemical test in the presence of mediators. The tainted amount resultant solutions and the connected records were seized by the Deputy Superintendent of Police, Anti-Corruption Bureau, Vizianagaram Range duly attested by him and mediators.

6. And whereas, the above said acts of Sri Mandavilli Venkata Satya Sarvesa Lingam, Executive Engineer, B.R.R.Vamsadhara Project Division No.1, Amadalavalasa, Srikakulam District constitute offences punishable under section 7 and sub section (2) of section 13 read with clause (d) of sub section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

7. And whereas, Government of Andhra Pradesh being the authority competent to remove Sri Mandavilli Venkata Satya Sarvesa Lingam, Executive Engineer, B.R.R.Vamsadhara Project Division No.1, Amadalavalasa, Srikakulam District from service, after fully and carefully examining the material placed before them, with regard to the said allegations and having regard to the facts and circumstances of the case, consider that the said Sri Mandavilli Venkata Satya Sarvesa Lingam, Executive Engineer, B.R.R.Vamsadhara Project Division No.1, Amadalavalasa, Srikakulam District, should be prosecuted in a Court of Law for the above said offences.

8. Now, therefore, in exercise of the powers, conferred by clause (b) of sub section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri Mandavilli Venkata Satya Sarvesa Lingam, Executive Engineer, B.R.R.Vamsadhara Project Division No.1, Amadalavalasa, Srikakulam District for the above said offences punishable under section 7 and sub section (2) of section 13 read with clause (d) of sub section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognizable offences punishable under any provision of law for the time being in force in respect of the said allegation and for taking cognizance of the said offence by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(S.P.TUCKER)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
Hyderabad.
Copy to:
The Law (B) Department.